

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Commercial Taxes Department – Review petition of Sri Shaik Hasan Saheb, Senior Assistant, O/o.CTO, Machilipatnam against the orders of Commissioner of Commercial Taxes, A.P., Hyderabad – Modified the orders – Orders – Issued.

REVENUE(CT.1.2) DEPARTMENT

G.O.RT.No. 912

Dated:28-10-2014.
Read the following:

- 1) DC(CT), Vijayawada Procs.Rc.A2/27/2007, Dt.21.04.2011.
- 2) Appeal Petition, Dt.07-05-2011 of Sri Shaik Hasan Saheb, Sr.Asst., (under order of Removal from service).
- 3) CCT Procs.No.Vig(4)/478/2011, Dt.26.09.2011.
- 4) Review Petition, Dt.18.04.2012 of Sri Shaik Hasan Saheb, Sr.Asst., O/o.CTO, Machilipatnam.
- 5) Govt.Memo.No.36184/CT.III.2/2012-1, Dt.22.08.2012.
- 6) DC(CT), Vijayawada Procs.No.A2/178/2011, Dt.14.02.2013.
- 7) CCT's Ref.No.V4/478/2011, Dt.28.02.2014 and 25.07.2014.
- 8) Representation, Dt.25.08.2014 of Sri Shaik Hasan Saheb, Sr.Asst., O/o.CTO, Machilipatnam.

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ORDER:

In the reference 1st read above, the DC(CT), Vijayawada has imposed a penalty of removal from service on Sri Shaik Hasan Saheb, Senior Assistant, O/o.CTO, Machilipatnam for his un-authorised absence to duty from the period 25.01.2007 to 31.07.2009 without obtaining prior sanction/permission of the competent authority.

2. In the reference 2nd read above, Sri Shaik Hasan Saheb, Sr.Asst., (under order of Removal from service) has filed an appeal petition before the Commissioner of Commercial Taxes against the orders of DC(CT), Vijayawada.

3. In the reference 3rd read above, the Commissioner of Commercial Taxes, A.P., Hyderabad has reduced the punishment of removal from service to stoppage of five annual grade increments with cumulative effect and treated the gap period between the removal and re-joining as Dies-non but without break in service.

4. In the reference 4th read above, Sri Shaik Hasan Saheb, Sr.Asst., O/o.CTO, Machilipatnam has filed review petition before the Govt. to set aside the orders of CCT issued vide reference 3rd cited and to treat the absence period as duty stating that the E.L. and the Medical Leave applied by him was neither refused nor was sanctioned; his leave applications including medical certificates were kept in the file un-attended to; the medical certificates were not referred to the appropriate Medical Board in the event of doubt regarding his illness; though he applied for leave, the DC(CT), Vijayawada treated the leave as unauthorized absence from duty and initiated disciplinary action against him under Rule 20 of the APCS(CC&A) Rules, 1991; he had responded to the Memos issued by the CTO, Samarangam Chowk Circle. Further he has requested to set-a-side the orders of CCT and to treat the removal period from 21.04.2011 to 26.09.2011 as EOL instead of dies-non.

5. In the reference 6th read above, the DC(CT), Vijayawada has sanctioned the leave as per his eligibility and as E.O.L. for the absence period from 25.01.2007 to 09.08.2009.

P.T.O.

6. Government after careful examination of the matter hereby modify the punishment of stoppage of (5) annual grade increments with cumulative effect imposed by the CCT in the reference 5th read above to that of (3) annual grade increments with cumulative effect and treat the removal period as dies-non, but without break in Service to Sri Shaik Hassan Saheb, Senior Assistant.

7. The Commissioner of Commercial Taxes, A.P., Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes, A.P., Hyderabad.
Copy to: The Individual through the CCT, A.P., Hyderabad.
SF/SC.

// FORWARDED BY ORDER//

SECTION OFFICER